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**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

FIRST AUTOMOTIVE SERVICE CORP.
Compliance Department
P.O. Box 30250
Albuquerque, NM 87190-0250
License No. 102925

**STIPULATION
&
ORDER**

Docket No. 2608-027LC

Enf. Case No. 2116

STIPULATION

1. Respondent, First Automotive Service Corporation, is a licensed automobile service contract provider in the State of Utah, holding License No. 102925.
2. Respondent stipulates with the Complainant, Utah Insurance Department, as follows:
 - a. If a hearing were held, witnesses called by the Complainant could offer and introduce evidence that would support the Findings of Fact herein;
 - b. Respondent admits the Findings of Fact and Conclusions made therefrom;
 - c. Respondent stipulates to the summary entry of the Order herein which shall be

in lieu of other administrative proceedings by Complainant in this matter; and

d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.

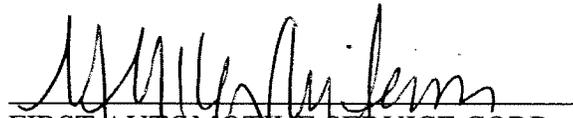
3. Respondent is aware of its right to a hearing at which it may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived its right to such hearing and to any appeal related thereto.

4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to its rights set forth herein.

6. Respondent acknowledges that the issuance of this Order by the Commissioner is solely for the purpose of disposition of the matter entitled herein.

DATED this 24th day of March, 2008.


FIRST AUTOMOTIVE SERVICE CORP.
Michelle Chirieleison, Compliance Administrator


UTAH INSURANCE DEPARTMENT
M. Gale Lemmon, Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. On or about January 25, 2007, Respondent was fined \$10,000.00 by the Wisconsin Department of Insurance for failing to file its financial statements. Respondent failed to notify the Utah Insurance Department of that action within 30 days.

2. On or about August 2, 2007, Respondent was again fined \$10,000.00 by the Wisconsin Department of Insurance for failing to comply with an Order of the Commissioner. Respondent again failed to notify the Utah Insurance Department of that action within 30 days.

3. On or about July 17, 2007, Respondent was fined \$15,000.00 by the New York Department of Insurance for acting as a service contract provider prior to being licensed. Respondent also failed to notify the Utah Insurance Department of that action within 30 days.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. In failing to notify the Department within 30 days of any administrative action taken against it in another jurisdiction, Respondent violated Utah Code Annotated § 31A-23a-105(2) & (3).

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

ORDER

IT IS HEREBY ORDERED:

1. Respondent is assessed an administrative forfeiture in the amount of \$250.00, to be paid within 30 days of the date of this Order.

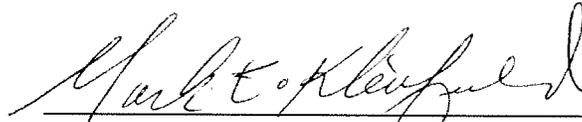
NOTIFICATION

Respondent is hereby notified that failure to abide by the terms of this Order may subject it to further penalties, including additional forfeitures of up to \$5,000.00 per violation and the suspension or revocation of its license, and the filing of an action to enforce this Order in the District Court, which may impose penalties of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

DATED this 24th day of March, 2008.

D. KENT MICHIE
INSURANCE COMMISSIONER



MARK E. KLEINFELD, Esq.
Administrative Law Judge
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone (801) 538-3800

**UTAH
Invoice**

Printed Date: March 24, 2008

Invoice Date: March 24, 2008
Balance Due: \$250.00
Due Date: April 23, 2008
Invoice ID: 375103

FIRST AUTOMOTIVE SERVICE CORPORATION
PO BOX 30250
ALBUQUERQUE NM 87190-0250

Item Description	Amount
Monetary Penalty Company	\$250.00
<i>e case #116 Docket 2008-0274C</i>	
Original Amount Due	<u>\$250.00</u>

**UTAH
Invoice**

Printed Date: March 24, 2008

Invoice Date: March 24, 2008
Balance Due: \$250.00
Due Date: April 23, 2008
Invoice ID: 375103

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901

CERTIFICATE OF MAILING

I do hereby certify that on this date I mailed, by regular mail, postage prepaid, a true and correct copy of the attached:

STIPULATION
&
ORDER

To the following:

First Automotive Service Corp
Compliance Department
P.O. Box 30250
Albuquerque, NM 87190

DATED this 24th day of March, 2008.



Angie Thomas Court Clerk
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114-6901